

**Amendment No. 2 to SB1209**

**Johnson  
Signature of Sponsor**

**AMEND Senate Bill No. 1209**

**House Bill No. 850\***

by deleting Section 12 of the bill as amended and substituting instead the following:

SECTION 12. Tennessee Code Annotated, Section 12-4-903(3)(C)(i), is amended by deleting the subdivision and substituting instead the following:

(i) Wages that exceed:

(a) The state's most current prevailing wage scale established pursuant to part 4 of this chapter if the agreement involves a state highway construction project, as defined by § 12-4-402; or

(b) The Tennessee Occupational Wages Report, as defined by § 12-4-907, if the agreement involves a construction project other than a project described in subdivision (3)(C)(i)(a); or

**AND FURTHER AMEND** by deleting Section 14 of the bill as amended and substituting instead the following:

SECTION 14. Tennessee Code Annotated, Title 12, Chapter 4, Part 9, is amended by adding the following new sections thereto:

12-4-906.

If compliance with this part by the state and its political subdivision, agencies and instrumentalities, relative to a specific contract, project, or program would result in the denial of federal funds that would otherwise be available to the state and its political subdivisions, agencies and instrumentalities, then the state or its political subdivisions, agencies or instrumentalities may require a private employer to pay its employees a

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wage necessary to meet the federal requirements to obtain the federal funds, but only relative to such contract, project or program.

12-4-907.

For purposes of this part, Tennessee Occupational Wages Report means the applicable report that is published by the department of labor and workforce development, employment security division.

**AND FURTHER AMEND** by deleting the language "§ 12-4-906(d)" in Sections 15, 16 and 17 and substituting instead the language "§ 12-4-907".